

REMARKS

Claims 1-11, 13-25, 27, and 33-37 are pending in the current application. Claims 33-37 have been withdrawn by the Examiner. Claims 1 and 25 have been amended. With this response, claims 12 and 13 have been cancelled. Claims 26 and 28-32 have been previously cancelled. No new matter is added. Basis for amendment is the original claims.


Claims 1-25 and 27 have been rejected under 35 U.S.C. §112, first paragraph. It is the Examiner's position that the specification does not provide enablement for the terms "solvates" and "pharmaceutically functional derivatives." Applicants respectfully stated that the application does provide enablement for the term "pharmaceutically functional derivatives" in which A is OR⁹, where R⁹ is alkyl or aryl. In this regard, the Examiner's attention is directed to original Claims 12 and 13 and to Examples 28, 30 and 31. Claim 1 has been amended to recite that A can be OR⁹, where R⁹ is alkyl or aryl. Applicants respectfully submit that the amendment to Claims 1 and 25 deleting the terms "solvates" and "pharmaceutically functional derivatives" render this rejection moot, and request that the rejection be withdrawn.

Applicants respectfully submit that the present application is in condition for allowance, which allowance is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge any fees or credit any overpayment, particularly including any fees required under 37 CFR Sect 1.16 or 1.17, and any necessary extension of time fees, to deposit Account No. 07-1392.

Date: April 29, 2010
GlaxoSmithKline Inc
Global Patents
Five Moore Drive, P.O. Box 13398
Research Triangle Park, NC 27709
Tel. (919) 483-1577
Fax: (919) 483-7988

Respectfully submitted:


Bonnie L. Deppenbrock
Attorney for Applicants
Reg. No. 28,209